

105TH CONGRESS
2D SESSION

H. CON. RES. 341

Expressing the sense of the Congress that the commitment made by the United States, in conjunction with South Korea and Japan, to arrange financing and construction of 2 nuclear reactors for North Korea, and to provide fuel oil and other assistance to North Korea, should be suspended until North Korea no longer poses a nuclear threat to the peace and security of Northeast Asia or the United States.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 1998

Mr. DELAY (for himself, Mr. ROHRABACHER, Mr. HEFLEY, Mr. WELDON of Pennsylvania, Mr. FORBES, Mr. BACHUS, Mr. ADERHOLT, Mr. GIBBONS, Mr. TALENT, Mr. SESSIONS, Mr. WATTS of Oklahoma, Mr. MILLER of Florida, Mr. HAYWORTH, and Mr. KNOLLENBERG) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress that the commitment made by the United States, in conjunction with South Korea and Japan, to arrange financing and construction of 2 nuclear reactors for North Korea, and to provide fuel oil and other assistance to North Korea, should be suspended until North Korea no longer poses a nuclear threat to the peace and security of Northeast Asia or the United States.

Whereas North Korea refuses to carry out its obligations under the Nuclear Non-Proliferation Treaty and other

nuclear accords to which it is a signatory, including by refusing to allow the International Atomic Energy Agency to inspect 2 suspected nuclear waste sites at the Yongbyon nuclear complex and interfering with the inspections the agency conducted at North Korea's plutonium reprocessing plant and other sites;

Whereas the United States entered an Agreed Framework with North Korea on October 21, 1994, to build 2 light water nuclear reactors for North Korea at a cost of between \$4,000,000,000 and \$6,000,000,000, and to provide to North Korea 500,000 tons of heavy fuel oil per year until construction of the first reactor is complete, and in exchange North Korea agreed to cease operating its graphite moderated reactors, plutonium reprocessing facilities, and other related facilities out of international concern that plutonium produced by them might be diverted to nuclear weapons production;

Whereas the agreement delays inspection of suspected nuclear waste sites until the near completion of the 2 new reactors, and effectively condones North Korea's original refusal to permit the International Atomic Energy Agency to inspect the nuclear waste sites, which precipitated the crisis that led to the agreement;

Whereas this multiyear delay in inspecting the suspected nuclear waste sites precludes any determination of the amount of reprocessed plutonium North Korea may already have available for possible nuclear weapons production;

Whereas former United States Ambassador-at-Large Robert Gallucci has stated that primitive graphite nuclear plants being built by North Korea would be capable of producing enough spent fuel to produce nearly 30 nuclear weap-

ons per year, and along with outside experts has acknowledged the “technical possibility” that fuel from the new light water reactors built with help from the United States could produce enough plutonium to make up to 70 nuclear weapons per year;

Whereas North Korea has refused, and continues to refuse, the International Atomic Energy Agency permission to inspect and inventory the spent fuel rods from North Korea’s existing nuclear reactors prior to their encasement in order to determine whether any plutonium has been extracted from them, even though the United States has provided over \$20,000,000 to pay for the cost of encasing the rods;

Whereas the International Atomic Energy Agency has indicated that the United States gave no support to the Agency’s attempts to persuade North Korea to allow inspection of the fuel rods;

Whereas in May 1998, North Korea announced that it was unsealing its nuclear reactors and might restart them, and was ceasing further encasement of nuclear fuel rods;

Whereas in July 1998, North Korea sent “maintenance teams” back into the weapons-grade plutonium reprocessing plant;

Whereas the former Director-General of the International Atomic Energy Agency, Hans Blix, North Korean defectors, and the United States Defense Intelligence Agency have all reported that North Korea has 15,000 workers constructing a nuclear weapons program underground, including a plutonium production plant for making weapons-grade plutonium;

Whereas the State Department warned North Korea during talks in New York on August 25, 1998, that the building of a secret underground nuclear facility that would permit North Korea to restart its nuclear program was unacceptable;

Whereas the United States expression of displeasure with North Korea's secret underground activities was undermined by the State Department's subsequent request to Congress on September 23, 1998, for permission to reprogram \$27,000,000 in additional fiscal year 1998 funds to provide assistance to North Korea pursuant to the Agreed Framework and by the Department's decision in early September 1998 to provide an additional 300,000 tons of food aid;

Whereas State Department officials claim that the heavy fuel oil being provided has no direct military benefit to North Korea, while other observers have noted that the deliveries permit North Korea to use its own funds to pay for larger quantities of lighter grade oil that can be used for other purposes, including military transport;

Whereas the 500,000 tons of heavy fuel oil being delivered each year exceeds the capacity of North Korea's only oil-fired electrical plant, and United States officials have acknowledged that North Korea diverted some of the fuel oil to steel production and other industrial uses;

Whereas North Korea additionally has demanded that the United States immediately lift decades-old economic sanctions, finance the \$750,000,000 cost of modernizing its electric power grid, and pay for other auxiliary facilities;

Whereas during June and July 1998, Secretary of Defense Cohen and other United States military officials disclosed

that North Korea had succeeded in developing a missile with a 600-mile range capable of reaching South Korea and part of Japan, and was developing 2 longer-range missiles that could reach all of Japan, Okinawa, and possibly Alaska and Hawaii;

Whereas on August 31, 1998, North Korea launched a ballistic missile that crossed over Japanese territory, parts of which traveled almost 4,000 miles to land off the coast of Alaska, in an apparent attempt to launch a satellite; and

Whereas the Central Intelligence Agency's senior intelligence officer for strategic programs has publicly stated that the 3-stage configuration used in the missile launch on August 31, 1998, could enable North Korea to send warheads across the Pacific: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of the Congress that—

3 (1) the commitment made by the United States,
4 in conjunction with South Korea and Japan, to help
5 finance and build 2 nuclear reactors for North
6 Korea, to provide fuel oil and other assistance to
7 North Korea, and to begin lifting the decades-old
8 economic embargo on North Korea, should be sus-
9 pended until the President certifies that North
10 Korea has agreed to—

11 (A) cease further development of its ballis-
12 tic missile program;

1 (B) cease all aspects of its nuclear weap-
2 ons development program;

3 (C) cease all construction and activity on
4 all nuclear facilities other than the light water
5 nuclear reactors permitted by the Agreed
6 Framework entered into on October 21, 1994;

7 (D) allow international inspectors complete
8 access to the Yongbyon nuclear complex, all
9 plutonium reprocessing facilities, and other sus-
10 pected nuclear weapons sites consistent with
11 North Korea's commitments under the Agreed
12 Framework and other international treaties to
13 which North Korea is a signatory;

14 (E) eliminate its existing stockpile of weap-
15 ons-grade plutonium and allow verification of
16 such elimination; and

17 (F) stop diverting food, fuel oil, and other
18 international humanitarian assistance to its
19 military personnel and infrastructure; and

20 (G) sign an agreement formally ending the
21 war with South Korea; and

22 (2) the President should at no time, with re-
23 spect to North Korea, waive section 123(a)(2) of the
24 Atomic Energy Act of 1954, which requires the
25 maintaining of International Atomic Energy Agency

- 1 safeguards as a precondition for the transfer of nu-
- 2 clear technology.

